

(3/22/2010) Maria NEYRA - RE: protective order

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**From:** "Stellmach, William (USANYS)" <William.Stellmach@usdoj.gov>  
**To:** "Maria NEYRA" <MNEYRA@royblack.com>  
**CC:** "Braun, Daniel (USANYS)" <Daniel.Braun@usdoj.gov>, "Anthony, Jason" <Ant...  
**Date:** 9/15/2009 5:50 PM  
**Subject:** RE: protective order

After speaking with Diane, our impression is that the Greenberg issue was flagged but had never been resolved. While we were aware of Greenberg's role in sponsoring your pro hac vice admission, our impression was that Greenberg's role, as it related to your client, was purely in that ministerial capacity, not substantive representation.

We think that there are two separate, but related issues:

First, our office has a real concern if there are Greenberg lawyers simultaneously representing both your client and his father. As I mentioned in my voicemail a few weeks ago, the issue can be resolved if there are in fact different lawyers representing the two Levises. However, if there are Greenberg lawyers engaged in simultaneous representation, then we would like to know that in order to bring it to Judge Griesa's attention for purposes of a potential Curcio proceeding.

Second, we think the protective order should identify the lawyers bound by it. There's an issue about the utility of a protective order that encompasses every single one of Greenberg's 1,750 lawyers in over 30 offices around the globe. As we mentioned, the information being produced contains sensitive proprietary information that the banks actually produced to their regulators. We feel the better course would be to identify the specific defense lawyers who are parties to the protective order, and we weren't aware of any reasons why that would be a problem.

Going forward, we therefore propose that you: (1) confirm whether there are Greenberg lawyers engaged in simultaneous representation of both David and Sammy Levis, and (2) identify all the lawyers by name who will be bound by the protective order.

Please let us know your thoughts.

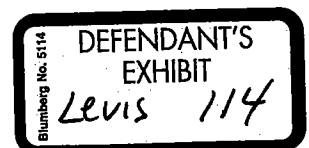
Thanks.

-----Original Message-----

**From:** Maria NEYRA [mailto:MNEYRA@royblack.com]  
**Sent:** Thursday, September 10, 2009 5:19 PM  
**To:** Stellmach, William (USANYS)  
**Cc:** Braun, Daniel (USANYS)  
**Subject:** Re: protective order

Bill, I just got back to the office.

The protective order that the govt. proposed and that Roy agreed to included Greenberg Traurig, PA? Is the govt. now taking the position that you object to Greenberg's inclusion? This is the first that I hear of it. I believe that Diane even contacted GT attorney Jeff Skarloff early on. GT supported our pro hac vice appearance. I just want to make sure that we're clear.



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Thanks for the clarification.

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>>> "Stellmach, William (USANYS)" <William.Stellmach@usdoj.gov> 9/9/2009  
6:58 PM >>>

I'm following-up on my voicemail from a few weeks ago regarding the protective order. As I mentioned, we had a question about the inclusion of Greenberg Traurig. Our impression was that Greenberg represented Sammy Levis, but Diane advised us that it actually represented David Levis. We weren't sure whether different lawyers at the firm were handling the Levises, in which case we could easily resolve this by simply identifying the lawyers for your client in the protective order. If not, that raises other issues that we'd like to discuss with you.

Thanks,  
Bill  
212-637-2101